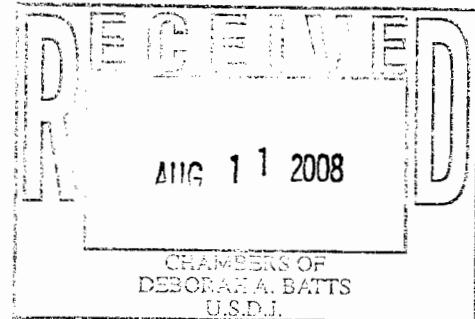


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August 8, 2008

VIA MESSENGER

Honorable Deborah A. Batts
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2510
New York, NY 10007



Re: Kramer v. Lockwood Pension Services, Inc., et al., Index No. 08-CV-2429

Dear Judge Batts:

We represent defendant Phoenix Life Insurance Co. ("Phoenix") in the above-referenced lawsuit. Pursuant to Rule 1(E) of Your Honor's Individual Practices, Phoenix hereby respectfully requests that its time to submit its opposition to the motion of Steven Lockwood, Lockwood Pension Services, Inc. and Tall Tree Advisors, Inc. (the "Lockwood Defendants") to dismiss Phoenix's cross-claims/third-party claims be extended from August 15, 2008, up to and including September 15, 2008, and that the date by which the Lockwood Defendants' reply to Phoenix's opposition papers be extended from September 15, 2008, through and including October 15, 2008. Counsel to the Lockwood Defendants has consented to the requested extension.

This is the first request made by Phoenix to extend its response date beyond those set forth in the briefing schedule initially contemplated by the parties and endorsed by the Court.

In accordance with Your Honor's Order of June 16, 2008, we consulted with the other parties prior to submitting this request, and we understand that no other parties are presently seeking extensions of time.

Respectfully,

Christopher Karagheuzoff SO ORDERED
Christopher G. Karagheuzoff

Deborah A. Batts

DEBORAH A. BATTES
UNITED STATES DISTRICT JUDGE
SIN 8

cc (via electronic mail):

Andrew A. Wittenstein, Esq., counsel for Plaintiff (via electronic mail)

Tab K. Rosenfeld, Esq., counsel for Defendants and Cross-Claim Defendants Lockwood Pension Services, Inc. and Tall Tree Advisors, Inc., and Third-Party Defendant Steven Lockwood (via electronic mail)